



General Assembly

January Session, 2009

Raised Bill No. 6410

LCO No. 3107

03107_____VA_

Referred to Committee on Select Committee on Veterans' Affairs

Introduced by:
(VA)

***AN ACT CONCERNING THE USE OF HAND-HELD MOBILE
TELEPHONES BY MEMBERS OF THE ARMED FORCES WHILE
OPERATING A MOTOR VEHICLE.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (b) of section 14-296aa of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective from*
3 *passage*):

4 (b) (1) Except as otherwise provided in this subsection and
5 subsections (c) and (d) of this section, no person shall operate a motor
6 vehicle upon a highway, as defined in subsection (a) of section 14-1,
7 while using a hand-held mobile telephone to engage in a call or while
8 using a mobile electronic device while such vehicle is in motion. (2) An
9 operator of a motor vehicle who holds a hand-held mobile telephone
10 to, or in the immediate proximity of, his or her ear while such vehicle
11 is in motion is presumed to be engaging in a call within the meaning of
12 this section. The presumption established by this subdivision is
13 rebuttable by evidence tending to show that the operator was not
14 engaged in a call. (3) The provisions of this subsection shall not be
15 construed as authorizing the seizure or forfeiture of a hand-held

16 mobile telephone or a mobile electronic device, unless otherwise
17 provided by law. (4) Subdivision (1) of this subsection does not apply
18 to: (A) The use of a hand-held mobile telephone for the sole purpose of
19 communicating with any of the following regarding an emergency
20 situation: An emergency response operator; a hospital, physician's
21 office or health clinic; an ambulance company; a fire department; or a
22 police department, or (B) any of the following persons while in the
23 performance of their official duties and within the scope of their
24 employment: A peace officer, as defined in subdivision (9) of section
25 53a-3, a firefighter or an operator of an ambulance or authorized
26 emergency vehicle, as defined in subsection (a) of section 14-1, a
27 member of the armed forces of the United States, including the
28 Connecticut National Guard, or (C) the use of a hands-free mobile
29 telephone.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>from passage</i>	14-296aa(b)
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Statement of Purpose:

To allow a member of the armed forces to use a hand-held mobile telephone or mobile electronic device while operating a motor vehicle in performance of such member's official duties.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]